

**REMARKS/ARGUMENTS**

In view of the amendments and remarks herein, favorable reconsideration and allowance of the pending claims are respectfully requested. By this Amendment, claims 15 and 23 have been amended. Claims 15-30 are pending for further examination.

Claims 15-30 stand rejected under 35 USC 103 as being obvious over Nathan in view of Kleiman. Applicant has amended the claims herein in a manner that is believed to more clearly and patentably distinguish the cited references. Thus, reconsideration and withdrawal of this rejection are respectfully requested. The amendments are fully supported by the specification. In particular, page 13, lines 5 to 28 and page 15, lines 14-15 describe that a "special file" (141, 841) is generated by the server or the jukebox and contains the list of specific requests. Page 10 and 11, the specification explains that a "request processing module (852)", installed either on the server or on the jukebox, constitutes means for generating the special file (141,841) containing the specific requests.

Applicant's previous arguments were not considered persuasive based on the Examiner's comment that certain limitations discussed in the arguments were not present in the claims. The amendments herein address this issue by, *inter alia*, making clear that the user's terminal is distinct from the destination equipment for which the selection is made in advance for play on the destination equipment. This claimed feature allows, for example, a user to select in advance one or several songs to be played on one or several jukeboxes from a separate terminal (which could be, for example, a jukebox or any

system unit as described in the specification (page 3, lines 32-33, page 10, line 35 to page 11, line 3 and page 11, lines 35-36).

The file for storing the specific request is generated either by the server (and is then referenced as 141), when the user orders the selection from a common terminal, or is generated by the jukebox itself (and is then referenced as 841), when the user orders the selection from a jukebox. This "special file" (141, 841) is generated by the "request processing module (852)" (installed either on the server or on a jukebox) and is thus generated in a format which allows its execution by the jukeboxes described in the present application.

Applicant agrees that Nathan (US 6,336,219) suggests music to be played on a jukebox at a selected time (column 8, line 60 to column 9, line 14), but there is no teachings of enabling a selection to be made by the user or how the selection would be made. Moreover, Nathan does not teach or suggest an advance selection by a user from a location other than the jukebox, because there are no teachings of means to generate the file containing the request based on actions from the user's (rather than from a managers) terminal. For at least these reasons, Applicant submits that the teachings of Nathan do not support a rejection of the amended claims herein.

Kleiman fails to make up for the deficiencies of Nathan. Kleiman describes a system comprising jukeboxes with download scheduling algorithms, able to "provide music on demand based on local user needs at deferred times" and thus to "combine request from multiple locations for a single transmission of music to the multiple

jukeboxes simultaneously" (column 4, lines 37-44, see also the abstract: "schedules requests to coordinate transmission of music to multiple locations simultaneously"). This means that the requests from different jukeboxes at different locations are taken into account for deciding when to broadcast the music to the requesting jukeboxes (i.e., to send the music to all the requesting jukeboxes at once). The date at which the broadcast will be done is thus not decided by the user but depends on how many users requested the music. As a result, the combined teachings of Nathan and Kleiman do not render the amended claims obvious.

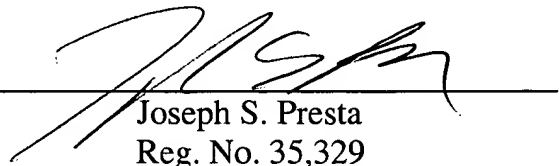
In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are not rendered obvious by the cited references. Thus, withdrawal of the rejection and allowance of the pending claims are respectfully requested.

Should the Examiner have any questions, or deem that any formal matters need to be addressed prior to allowance, the Examiner is invited call the undersigned attorney at the phone number below.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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